

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Matthias VENNEMANN

Serial No.: 10/562,149

Group Art Unit: 1625

Filed: December 23, 2005

Examiner: Rita J. Desai

For: NOVEL PYRROLODIHYDROISOQUINOLINES USEFUL IN THE TREATMENT
OF CANCER

REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

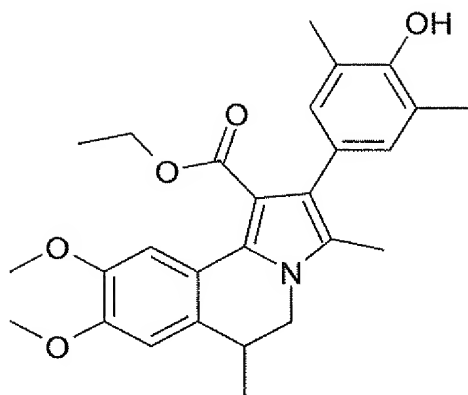
SIR:

In response to the Office Action mailed on February 9, 2009, applicants elect with traverse Group I, claims 1-18 and 21, drawn to compounds and pharmaceutical compositions of formula I wherein R2 and R3 do not form a ring, none of the R's form a ring (i.e. it is a tricyclic ring) and R7 is a phenyl or naphthyl (substituted or unsubstituted).

The traversal is on the grounds that the patent office has not established that it would pose an undue burden to examine the full scope of the claimed invention.

Additionally, applicants bring the attention of the Examiner to MPEP § 821.04, Rejoinder, which states that "if the elected invention is directed to the product and the claims directed to the product are subsequently found patentable, process claims [both process of making and using] which either depend from or include all the limitations of the allowable product will be rejoined." If the restriction requirement is maintained at this point, rejoinder of the non-elected claims is respectfully requested at the proper time in accord with the rejoinder provisions of the MPEP.

To further aid the search strategy, applicants provide a preferred species, which is compound 2 (see page 68) and is depicted below.



The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Csaba Henter/

Csaba Henter, Reg. No. 50,908
Anthony J. Zelano, Reg. No. 27,969
Attorneys for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Boulevard, Suite 1400
Arlington, Virginia 22201
Direct Dial: 703-812-5331
Facsimile: 703-243-6410

Attny. Docket No.: VOSS-30

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